

TERMINATED,

**U.S. District Court
District of Oregon (Portland (3))
CRIMINAL DOCKET FOR CASE #: 3:17-mj-00150 All Defendants**

Case title: USA v. Gatto

Date Filed: 09/26/2017

Other court case number: 17 MAG 7120 USDC Southern New
York

Assigned to: Unassigned

Defendant (1)

James Gatto
also known as
"Jim"

represented by **Joanna T. Perini-Abbott**
Perkins Coie, LLP
1120 NW Couch Street
10th Floor
Portland, OR 97209-4128
503-727-2000
Fax: 503-727-2222
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LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED
Designation: Retained

Tyler Francis
Angeli Law Group LLC
121 SW Morrison St.
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Portland, OR 97204
503-954-2248
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Email: tyler@angelilaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level
(Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints**Disposition**

18:1343, 1349, & 2 – Wire Fraud
 ; 18:1956(h) – Conspiracy to
 Commit Money Laundering;
 18:1349 – Conspiracy to Commit
 Wire Fraud

Plaintiff

USA

represented by **Gregory R. Nyhus**
 United States Attorney's Office
 1000 SW Third Avenue
 Suite 600
 Portland, OR 97204
 (503) 727-1015
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 Email: greg.r.nyhus@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Email All Attorneys

Date Filed	#	Page	Docket Text
09/26/2017	<u>1</u>	3	Documents Received From Other Court as to James Gatto from USDC, Southern District of New York Case No: 17-mj-07120 (sss) (Entered: 09/26/2017)
09/26/2017	<u>2</u>	4	Waiver of Preliminary Examination or Hearing pursuant to Rule 5 & 5.1 by James Gatto (sss) (Entered: 09/26/2017)
09/26/2017	3	5	Minutes of Proceedings: Initial Appearance pursuant to Rule 5 Proceedings held on 9/26/2017 before Magistrate Judge Youlee Yim You as to James Gatto. ORDER – Oral motion by the government to unseal this case is granted. Defendant waived preliminary hearing (in Oregon ONLY)/identity hearing. Waiver filed in open court; filed separately. Defendant advised of rights and waived reading of the charges. Other Court Information: 17-MAJ-7120. ORDER – Defendant is ORDERED to appear in the S. District of New York on 10/10/2017 at 9:00 AM. FURTHER ORDER – Defendant to be released on conditions; see separate order of release filed separately. Counsel Present for Plaintiff: Greg Nyhus. Retained Counsel Present for Defendant: Tyler Francis and Joanna Perini–Abbott.(Court Reporter Jill Jessup) (Restraint Order: NR). (pvh) (Entered: 09/26/2017)
09/26/2017	<u>4</u>	6	Order Requiring Defendant to Appear on 10/10/2017 at 9:00 am in USDC, Southern District of New York Where Charges are Pending and Transferring Bail as to James Gatto. (sss) (Entered: 09/26/2017)

Mod AO 442 (09/13) Arrest Warrant AUSA Name & Telno: Edward Diskant, 212-637-2294

UNITED STATES DISTRICT COURT

for the
Southern District of New York

United States of America

v.
James Gatto
a/k/a "Jim"

Case No.

17 MJ 7120

Defendant

ARREST WARRANT

'17-MJ-150

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) James Gatto, a/k/a "Jim"

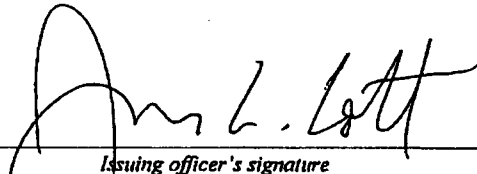
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. §§ 1343, 1349, & 2 (Wire Fraud)
18 U.S.C. § 1956(h)(Conspiracy to Commit Money Laundering)
18 U.S.C. § 1349 (Conspiracy to Commit Wire Fraud)

Date: 09/25/2017


Issuing officer's signature

City and state: New York, New York

Hon. James L. Cott, United States Magistrate Judge
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

AO 466A (Rev. 07/16) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the
District of Oregon

United States of America

v.

James Gatto
a/k/a/ "Jim"

Defendant

Case No. 3:17-MJ-00150

Charging District's Case No. 17-MAG-7120

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* Southern District of New York

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

☒ *not checked* an identity hearing and production of the warrant.

☒ *not checked* a preliminary hearing.

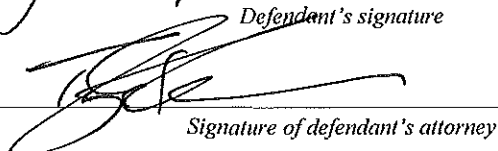
☐ a detention hearing.

☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that any preliminary or detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 9/26/17


Defendant's signature


Signature of defendant's attorney

Tyler Francis
Printed name of defendant's attorney

MIME-Version:1.0
From:info@ord.uscourts.gov
To:nobody
Bcc:
--Case Participants: Joanna T. Perini-Abbott (docketpor@perkinscoie.com, jmccune@perkinscoie.com, jperini@perkinscoie.com), Gregory R. Nyhus (amy.kuntz@usdoj.gov, caseview.ecf@usdoj.gov, greg.r.nyhus@usdoj.gov), Tyler Francis (tyler@angelilaw.com)
--Non Case Participants: U.S. Marshal Service (pdx.operations@usdoj.gov), U.S. Pretrial Services (cmecf@orpt.uscourts.gov)
--No Notice Sent:

Message-Id:5973166@ord.uscourts.gov
Subject:Activity in Case 3:17-mj-00150 USA v. Gatto Initial Appearance - Out of District Warrant
Content-Type: text/html

U.S. District Court

District of Oregon

Notice of Electronic Filing

The following transaction was entered on 9/26/2017 at 2:50 PM PDT and filed on 9/26/2017

Case Name: USA v. Gatto
Case Number: 3:17-mj-00150
Filer:
Document Number: 3(No document attached)

Docket Text:

Minutes of Proceedings: Initial Appearance pursuant to Rule 5 Proceedings held on 9/26/2017 before Magistrate Judge Youlee Yim You as to James Gatto. ORDER – Oral motion by the government to unseal this case is granted. Defendant waived preliminary hearing (in Oregon ONLY)/identity hearing. Waiver filed in open court; filed separately. Defendant advised of rights and waived reading of the charges. Other Court Information: 17-MAJ-7120. ORDER – Defendant is ORDERED to appear in the S. District of New York on 10/10/2017 at 9:00 AM. FURTHER ORDER – Defendant to be released on conditions; see separate order of release filed separately. Counsel Present for Plaintiff: Greg Nyhus. Retained Counsel Present for Defendant: Tyler Francis and Joanna Perini-Abbott.(Court Reporter Jill Jessup) (Restraint Order: NR). (pvh)

3:17-mj-00150-1 Notice has been electronically mailed to:

Gregory R. Nyhus greg.r.nyhus@usdoj.gov, amy.kuntz@usdoj.gov,
CaseView.ECF@usdoj.gov

Joanna T. Perini-Abbott jperini@perkinscoie.com, docketpor@perkinscoie.com,
jmccune@perkinscoie.com

Tyler Francis tyler@angelilaw.com

3:17-mj-00150-1 Notice will not be electronically mailed to:

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

UNITED STATES DISTRICT COURT

for the

District of Oregon

United States of America

v.

James Gatto a/k/a "Jim"

Defendant

)
) Case No. 3:17-MJ-00150
)
)

) Charging District: Southern District of New York

) Charging District's Case No. 17-MAG-7120

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

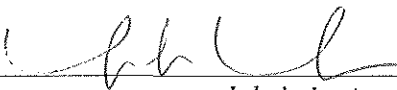
After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: U.S. District Court, Southern District of New York 500 Pearl Street New York, NY 10007-1312	Courtroom No.: Hon. Katherine Parker (5A)
	Date and Time: 10/10/2017 9:00 am

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date:

9/26/17


Judge's signature

Hon. Youlee Yim You, U.S. Magistrate Judge

Printed name and title